



Officer & Civilian Retention

Community Oriented Policing Services

www.usdoj.gov/cops/

Commonly Asked Questions

Q What is the purpose of creating a written retention plan?

A Planning to retain your COPS-funded positions after the conclusion of your grant is a legal requirement of *all* COPS hiring and redeployment grants. Submission of a written retention plan during the life of your grant is your agency's proof that you are fulfilling your legal obligation to retain Federally supported positions once the grant ends. If your agency does not have a complete retention plan on file, COPS may suspend funds for one or all of your grants.

Q What happens if my agency fails to *plan* for retention?

A Planning to retain is the obligation of *every* grantee. Agencies failing to retain COPS Office positions will face sanctions including the suspension of current COPS funds. Furthermore, delinquent agencies will be precluded from receiving future COPS grants, and will risk both ineligibility for U.S. Department of Justice, Office of Justice Programs (OJP) grant funding, and exposure to other legal remedies.

Q What information does my agency need to include in the retention plan documentation it submits to COPS?

A Your retention plan must be written and needs to specify:

- Your agency's intent to retain all COPS-funded positions; and
- The funding source your agency plans to use to support the COPS-funded positions once Federal funding concludes.

Your retention plan is not complete unless signed by both the chief law enforcement executive (chief, sheriff, etc.) and the chief representative of your local governing body (mayor, city manager, county executive, etc.).

Q Does the retention requirement apply to COPS-funded civilians?

A Yes. If your agency has accepted a COPS MORE grant in order to hire civilians, you must retain COPS-funded civilian positions in order to maintain time-savings generated from redeployment. Redeployment of officers cannot fall below the baseline level outlined in your MORE grant award package.

Q Does the retention requirement apply to equipment funded under all MORE programs?

A COPS expects that you will maintain the equipment so its use will continue to generate time-savings for officers and enable them to participate in community policing activities. Furthermore, we encourage our grantees to consider long-term service contracts and/or technology upgrades in future budgets so that the efficiency gained will be sustained long-term.

Q Will I violate the COPS retention policy if my COPS-funded officer leaves my agency?

A COPS hiring and redeployment grants are used to fund positions, not specific officers or civilians. If a vacancy occurs, you need to expeditiously fill that position.

Q What is my agency obligated to do if it appears during the life of the grant that it might not be able to retain all its COPS-funded officer and/or civilian positions?

A If a problem should arise where your agency may not be able to retain an officer, please immediately notify, in writing, your COPS grant advisor. In your correspondence, you are required to articulate:

- Your retention efforts;
- The reasons for which you may not be able to retain; and
- Any mitigating circumstances.

Q Does non-retention affect my agency's eligibility for further COPS or U.S. Department of Justice grants in general?

A Most likely. COPS evaluates all instances of non-retention on a case-by-case basis and works *with* grantees to bring them into compliance with COPS grant requirements. If an agency, without demonstrating sufficient mitigating circumstances, fails to retain, COPS will suspend current grant funding and/or deem the grantee ineligible for future COPS funding. Failure to retain COPS-funded positions for at least one local budget cycle will also impact eligibility for Office of Justice Programs (OJP) grants and other Justice Department funding.

Q What are the legal consequences for non-retention?

A As stated above, COPS considers each instance of non-retention on a case-by-case basis. In addition to suspending current or future funds for grantees that fail to retain, COPS may also seek reimbursement of grant funds through civil claims.

Q How long is my agency obligated to retain COPS-funded officers and civilians?

A Absent mitigating circumstances, your agency must retain COPS-funded positions for at least one local budget cycle after grant funding concludes. Failure to do so will subject your agency to Federal sanctions. In addition, COPS will monitor each grant for up to three years after funding concludes.

Q Can my agency use state funds to support retention?

A There are no Federal regulations prohibiting the use of state funds to retain COPS-funded positions. You will have to check with your state funding agency, however, regarding the source of state funds and guidelines for their use.

Q How does the retention requirement apply to equipment and civilians funded under *Domestic Violence, Advancing Community Policing, Problem Solving Partnerships, School Based Partnerships, Youth Firearms, Gangs and Methamphetamine* grants?

A These programs do not have a retention requirement. Many agencies, however, choose to continue such efforts after COPS funding expires.

Q Does receiving a *Small Community grant* satisfy the retention requirement?

A No. *Small Community grants* are designed to assist grantees in retaining certain FAST, AHEAD and UHP officers by providing a fourth year of funding. Agencies are expected to use this additional year of COPS support to further plan how to retain COPS-funded officers. The same retention requirements apply to this grant at the conclusion of Federal funding.

Q How will COPS monitor officer/civilian retention?

A COPS employs various methods to monitor an agency's retention efforts. These include:

- Office-based grant reviews;
- Review of agencies' *Annual Progress Reports*;
- Examination of *COPS Count* data;
- Site visits;
- U.S. Department of Justice, Office of Inspector General audits; and
- U.S. Department of Justice, Office of the Comptroller financial reviews.

Q What if I need assistance?

A Your COPS grant advisor is ready to help with any questions you may have about your agency's retention obligation. Call the Justice Department Response Center at 1-800-421-6770 to reach your grant advisor.